

consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BORDER SECURITY

Mr. MCCONNELL. Madam President, here is a quote from Candidate Biden's campaign website in 2020:

The U.S. has a right and a duty to secure our borders and protect our people against threats.

Well, that was then; this is now.

The Biden administration's weak border policies set a new record in 2021. Customs and Border Protection had to make—listen to this—2 million—2 million—arrests, and it doesn't appear that that new record will last long; 2022 is already trending even worse.

CBP is currently seeing about 7,000 encounters every single day, and they fear they could see as many as 18,000 per day—a truly staggering figure.

To put this in perspective, President Obama's former DHS Secretary Jeh Johnson has reflected that a daily count above 1,000—above 1,000—was “a relatively bad number, and I was gonna be in a bad mood the whole day,” reflecting back on his experience.

Now we are at seven times that figure and still climbing. It is a President's responsibility to fix this crisis, but this President is taking major steps to make it even worse.

The Biden administration has announced they will cancel legal authorities that have helped CBP contend with these massive surges. A group of States led by Arizona have explained in court that title 42 is “the only safety valve preventing this Administration's disastrous border policies from devolving into an unmitigated catastrophe.”

The administration's attempts to explain why they are caving to the far left and throwing our borders open make no sense whatsoever. The White House keeps claiming this is a public health decision; they cannot keep title 42—leading you to ask, why?

Democrats don't act like they think COVID is finished. They give speeches daily about the need for more funding. They say we should be sending health assistance around the rest of the world. The only place on the planet where Democrats say COVID is over apparently is at our southern border.

A growing number of House and Senate Democrats have expressed concern and anger over President Biden's awful decision. But press releases are one thing. What matters is how people vote.

Senate Democrats have taken every meaningful opportunity to back the administration's border policies and vote down Republican efforts to improve security. Their votes have helped create this mess. We will see if they finally change course and begin voting to help Republicans end the crisis instead.

BUDGET

Madam President, now on another matter, last week, President Biden re-

leased his budget request for next year. The President got to take a blank canvas and sketch his policy vision for the country. But in the critical area of defending our Nation, the President's vision came up way, way short.

Even amidst a hot war in Europe, bipartisan recognition of threats from China, North Korean nuclear and missile proliferation, and Iran's nuclear, missile, and terrorism trifecta, President Biden proposes to underfund our Armed Forces.

Even if Democrats manage to magically get their runaway inflation under control faster than anyone predicts, their proposal would only flat-fund defense. While China keeps ramping their military spending way up, the Biden budget would have America treading water, at best. More likely, if Democrats' high inflation sticks around, the President's proposal would actually cut the military's purchasing power.

As we speak, Secretary Austin, General Milley, and DOD Comptroller Michael McCord are testifying before the Armed Services Committee to provide some answers about their boss's baffling budget request. These senior leaders have a responsibility to be strong advocates within the administration for the resources that our servicemembers actually need.

When the far-left wanted President Obama to slash military spending, Secretary Leon Panetta waged an impassioned public and private campaign to stick up for our national defense. But if Secretary Austin is advocating for the military's bottom line, he is not doing it very effectively. The administration's proposed defense increase of 4 percent before inflation doesn't come anywhere near meeting our military's requirements to compete with China and preserve peace well into the future.

Yet the same budget lavishes a gigantic—gigantic—14-percent increase on domestic discretionary spending. If our colleague Chairman SANDERS wrote a budget and gave the Pentagon zero input or influence, it might not look much different than the administration's actual product.

So, the world is a dangerous place. China, Russia, Iran, North Korea, and other adversaries remind us of this basic fact every single day. Our Commander in Chief needs to get with the program.

NOMINATION OF KETANJI BROWN JACKSON

Madam President, now, on one final matter. The last few weeks have confirmed a pattern that has played out repeatedly in recent decades. When Republican Presidents make Supreme Court nominations, the far-left and the media melt down. Absurd allegations, conspiracy theories, cheap gimmicks, and apocalyptic rhetoric are all guaranteed. But when Democratic Presidents make nominations, Senate Republicans inquire about past rulings and judicial philosophies, and the country gets the serious process it deserves.

On Tuesday, I explained how 30 years of escalation by Democrats ushered in

this assertive period for the Senate regarding judicial nominations. Now and for the foreseeable future, the Senate views itself as a co-partner in the process.

On Wednesday, I walked through Judge Jackson's long and disturbing record of using judicial activism to go soft on crime. Today, I need to discuss how these disagreements affect the very bedrock of our Republic.

For multiple years now, the Democratic Party has waged an aggressive campaign to bully our independent justice system and attack the legitimacy of their institution. When the plain text of our laws and Constitution disappoint liberals' policy preferences, they mount radical campaigns to wreck the Court itself. This civic cancer began on the fringe, but it has quickly metastasized throughout their party.

Three years ago, sitting Senate Democrats sent the Court an absurd amicus brief, threatening retribution for a certain ruling. Two years ago, the Democratic leader rallied with radicals on the Court's steps and threatened multiple Justices by name if they didn't produce the policy result he preferred.

Last year, when fringe activists wanted to dig up the discredited concept of partisan court packing, President Biden lent it legitimacy with a Presidential commission. Now, just recently, the Senate Democratic whip said that his side's court-packing proposals don't matter because they lack 60 votes to pass the Senate. Well, that was cold comfort considering the Senator just voted to destroy the 60-vote threshold a few months back.

So this nomination has occurred against a strange, strange backdrop. The Senate Democrats, who spent weeks—weeks—fulsomely praising Judge Jackson, have spent years attacking her soon-to-be workplace.

This is why I needed to hear Judge Jackson denounce court packing. Justices Ginsburg and Breyer had no trouble—none—condemning these schemes loudly as sitting Justices. Surely President Biden could find himself an institutionalist in their mold.

But, alas, Judge Jackson was the court packers' favorite pick for the vacancy, and she refused to follow the Ginsburg-Breyer model. She signaled the opposite. She said she would be “thrilled to be one of however many”—“one of however many.”

The left's escalating war against the judiciary is a symptom of a profound misunderstanding. Judicial activism sees the Court as a third legislature. The left wants one policymaking body with 435 Members, one with 100, and one that consists of nine lawyers.

Let me say that again.

The left wants one policymaking body with 435 Members, one with 100, and one that consists of nine lawyers. That isn't what the Founders created, and it is not what the American people signed up for.